

To: [Nonresponsive based on revised scope]@erllc.com]
Cc: [Nonresponsive based on revised scope]@tetrattech.com]; [Nonresponsive based on revised scope]@tetrattech.com]
From: Wagner, Christine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12068C1889924ECF96F692831F0C77D4-CWAGNE02]
Sent: Mon 8/24/2020 7:52:51 PM (UTC)
Subject: FW: Clean Fill VDEQ Requirements

FYI, Lauren is our Virginia partner on Unified Command
Hope this helps
Chris

From: Pillow, Lauren <lauren.pillow@deq.virginia.gov>
Sent: Wednesday, November 20, 2019 1:13 PM
To: Wagner, Christine <Wagner.Christine@epa.gov>
Subject: Fwd: Clean Fill VDEQ Requirements

Hey Chris,

No additional testing of the fill material is required. In the email below, Becky outlines some of the requirements for contaminated soils, but if the fill material is uncontaminated then there are no additional requirements. Let me know if you have any other questions.

Thanks!

Lauren Pillow
Hazardous Waste Inspector
Department of Environmental Quality
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Salem, VA 24153
Phone: 540-524-8295
lauren.pillow@deq.virginia.gov
www.deq.virginia.gov

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From: **Wright, Rebecca** <rebecca.wright@deq.virginia.gov>
Date: Tue, Nov 19, 2019 at 3:43 PM
Subject: Re: Clean Fill VDEQ Requirements
To: Pillow, Lauren <lauren.pillow@deq.virginia.gov>
Cc: Rohrer, Priscilla <priscilla.rohrer@deq.virginia.gov>, Nichole Herschler <Nichole.herschler@deq.virginia.gov>, Poland, Jenny (DEQ) <Jenny.Poland@deq.virginia.gov>

Lauren

There are not any other requirements if the site where the fill soil is coming from is uncontaminated. They'd be going above & beyond the requirements with the testing unless there is some historical knowledge or evidence of a release.

Any exemption for materials used as clean fill are in section 9VAC20-81-95 of the Solid Waste Management Regulations. There's a conditional exemption for rocks, brick, block, dirt, broken concrete, crushed glass, porcelain, and road pavement used as clean fill. The condition is that no hazard or public nuisance is created by the activity. (See 9VAC20-81-95.D.11)

<https://law.lis.virginia.gov/admincode/title9/agency20/chapter81/section95/>

There are some requirements for the management of contaminated soils (haz waste) and soils with petroleum. I'm assuming the contaminated media guidance is not required here. The requirements for petroleum contaminated soils management is described under 9VAC20-81-660.D. & E.
<https://law.lis.virginia.gov/admincode/title9/agency20/chapter81/section660/>

Section 9VAC20-81-660.D.2 states that soils contaminated solely with petroleum related products including BTEX, TOX, or TPH shall be handled as follows:

d. Soil containing less than 50 mg/kg TPH and total BTEX less than 10 mg/kg may be used as fill material. This soil, however, may not be disposed of closer than 100 feet of any regularly flowing surface water body or river, 500 feet of any well, spring or other groundwater source of drinking water, and 200 feet from any residence, school, hospital, nursing home, or recreational park area. In addition, if the soil is not to be disposed of on the generator's property, the generator shall notify the property owner that the soil is contaminated and with what it is contaminated.

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On Tue, Nov 19, 2019 at 2:52 PM Pillow, Lauren <lauren.pillow@deq.virginia.gov> wrote:

Hey all,

Chris Wagner called me a little while ago about the drum disposal pit area at Shiloh Church Rd. They are looking ahead to purchasing clean fill material to bring the area back to grade. They have not purchased any fill material yet, but plan on doing the testing noted below to ensure that contaminants are not being added back to the site through the fill. Are there any SW requirements for clean fill or additional testing requirements as noted in her email?

Thanks!

Lauren Pillow
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From: **Wagner, Christine** <Wagner.Christine@epa.gov>
Date: Tue, Nov 19, 2019 at 2:48 PM
Subject: Clean Fill VDEQ Requirements
To: Lauren Pillow (lauren.pillow@deq.virginia.gov) <lauren.pillow@deq.virginia.gov>

Hi Lauren

Per our conversation this morning, EPA will be purchasing fill for the drum excavation area. EPA is planning on performing an onsite inspection of the proposed source location. EPA is also planning on performing independent testing for Total Petroleum Hydrocarbons to verify that the fill does not contain oil waste. Furthermore, EPA is planning on testing a sample of the fill for PCBs and metals, which are contaminants of concern at the Site.

Please advise whether any additional testing may be necessary or any other VDEQ requirements which may apply to this task.

Thank you
Chris

Christine Wagner
Federal On-Scene Coordinator
EPA Region III
804-337-3049

